

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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JENNIFER LEECH and DAVID	:	
GRIFFETH,	:	
	:	CASE NO. 1:10-CV-2645
Plaintiffs,	:	
	:	
vs.	:	ORDER & JUDGMENT
	:	
JOHN MAYER, <i>et al.</i>	:	
	:	
Defendants.	:	
	:	

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JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiffs Jennifer Leech and Edwin Griffeth allege that police and probation officers, county prosecutors, state and local government agencies, and a county judge conspired to harass them. In total, Leech and Griffeth bring twelve counts against twenty-seven defendants for alleged violations of their rights under state and federal law. [Doc. [1](#); Doc. [103](#).] But after this Court's orders, [Docs. [109](#); [159](#); [193](#)], and the Plaintiffs' own motions, [Doc. [114](#); [136](#); [195](#)], only Terry Collins, John Doe, the Ohio Department of Rehabilitation and Corrections, and James DeWeese remain as defendants.

Under [Federal Rule of Civil Procedure 4\(m\)](#), plaintiffs must serve notice on defendants within 120 days after the complaint is filed. Here, Plaintiffs Leech and Griffeth filed their complaint on November 19, 2010. Yet Leech and Griffeth never perfected service on Defendants Terry Collins, John Doe, and the Ohio Department of Rehabilitation and Corrections. Thus the claims against Terry Collins, John Doe, and the Ohio Department of Rehabilitation and Corrections are

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**DISMISSED WITHOUT PREJUDICE** because the Plaintiffs did not perfect service within 120 days.

Furthermore, for the reasons set out in the Court of Appeals's opinion, [Doc. [201](#)], the Court **GRANTS** Defendant DeWeese's motion to dismiss.

Accordingly, this action is **TERMINATED** under [Federal Rule of Civil Procedure 58](#).

IT IS SO ORDERED.

Dated: October 11, 2012

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE